

**AGENDA
CITY OF MORRISTOWN, TENNESSEE
BEER BOARD MEETING
FEBRUARY 16, 2016 – 5:00 P.M.**

1. **CALL TO ORDER**

Mayor Gary Chesney

2. **ROLL CALL**

3. **APPROVAL OF MINUTES**

1. January 19, 2016

4. **OLD BUSINESS**

5. **NEW BUSINESS**

1. On-premise beer permit for Mi Toro Mexican Restaurant, LLC (owners Guadalupe Calderon Borja and Alicia Zarate Perez and registered agent Guadalupe Calderon Borjua) DBA Mi Toro Mexican Restaurant located at 3408 West Andrew Johnson Highway.

6. **ADJOURN**

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
JANUARY 19, 2016**

The Beer Board for the City of Morristown, Hamblen County, Tennessee, met in regular session at the regular meeting place in the Morristown City Center at 5:47 p.m., Tuesday, January 19, 2016, with the Honorable Mayor Gary Chesney, presiding and the following Beer Board members present; Bob Garrett, Chris Bivens, Kay Senter, Dennis Alvis, Ken Smith, and Tommy Pedigo.

Councilmember Senter made a motion to approve the January 5, 2016 minutes as circulated. Councilmember Smith seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve the off-premise beer permit for Family Market (owner and registered agent Christina Furgerson) DBA Family Market located at 710 Morelock Road. Councilmember Pedigo seconded the motion and upon roll call; all voted "aye".

Mayor Chesney adjourned the January 19, 2016 meeting of the City of Morristown, Beer Board at 5:50 p.m.

MAYOR

ATTEST:

CITY ADMINISTRATOR

City of Morristown Beer Board



Beer Permit Application Checklist

Application Date: JAN. 29, 2016

Applicant's Name: MI TORO MEXICAN RESTAURANT LLC

DBA: MI TORO MEXICAN RESTAURANT

Contact Name GUADALUPE CALDERON BORJA Contact # 865- [REDACTED]

Provided By Applicant

- ☒ Application
- ☒ Application fee
- ☒ Authorization for Criminal History Inquiry
- ☒ Designation of Registered Office and Registered Agent
- ☒ Certified copy of deed or copy of lease agreement
- ☒ Sales Tax Certification (copy of certification of registration)
- ☒ Restaurant seating area plan showing a minimum of 75 seats
- ☒ Certified Site Plan and Floor Plan (if facility is not existing)

COPY

Provided By the City of Morristown

☐ Site Plan Certification (by City Engineer)

Current taxes verified

- ☒ City Taxes
- ☒ County Taxes

Public Notices

- ☒ Notice of Beer Board Meeting
- ☒ Signs Posted at Location of Business – Date Posted: 1-29-16
- ☒ Newspaper Notice of Application – Date Ran in Paper: 2-5-16
- ☒ Background Investigation
- ☐ Date of Beer Board Approval: _____
- ☐ Copy of Permit (Number _____) Issued
- ☐ Prorated Privilege Tax Paid

L. B. Hulley Signature of person verifying completion of checklist
P.O. Box 1283 • Morristown, Tennessee 37816-1283 • Phone (423)586-1215 • Fax (423)587-9518

AUTHORIZATION FOR CRIMINAL HISTORY INQUIRY

12-24-15
Date

I, the undersigned applicant, or duly authorized signatory for applicant, for a permit authorizing the sale of beer within the City of Morristown, Tennessee, do hereby authorize the City of Morristown, by and through it's agents and representatives and employees, to make inquiry, whether verbal, written, or electronic, of any and all law enforcement agencies or clerks of courts, whether, state, federal or local, concerning my criminal history of any convictions that I have had for any misdemeanor or felony, involving other than minor traffic violations, within the last ten (10) years form the date above.

I, the undersigned, further authorize any and all law enforcement agencies or clerks of courts, whether state, federal or local, or any state, federal, local or national entity storing and providing criminal history data, to release the afore stated information to the City of Morristown.

Residences for Past 10 Years

[REDACTED]
KNOXVILLE, TN 37921

GUADALUPE CALDERON BORJA

Name - Printed

[REDACTED] - 1984

Date of Birth

[REDACTED]
Social Security Number

[REDACTED]
Street Address

KNOXVILLE, TN 37921

City, State and Zip Code

[Signature]
Signature

RODRO J. ROSICH II

Name of Witness - Printed

[REDACTED]
Street Address

DULUTH, GA 30096
City, State and Zip Code

[Signature]
Signature

AUTHORIZATION FOR CRIMINAL HISTORY INQUIRY

01/19/2016

Date

I, the undersigned applicant, or duly authorized signatory for applicant, for a permit authorizing the sale of beer within the City of Morristown, Tennessee, do hereby authorize the City of Morristown, by and through its agents and representatives and employees, to make inquiry, whether verbal, written, or electronic, of any and all law enforcement agencies or clerks of courts, whether, state, federal or local, concerning my criminal history of any convictions that I have had for any misdemeanor or felony, involving other than minor traffic violations, within the last ten (10) years from the date above.

I, the undersigned, further authorize any and all law enforcement agencies or clerks of courts, whether state, federal or local, or any state, federal, local or national entity storing and providing criminal history data, to release the afore stated information to the City of Morristown.

Residences for Past 10 Years

WHITE PINE, TN 37890

Alicia Zarate de Perez

Name - Printed

1987

Date of Birth

Social Security Number

Street Address

WHITE PINE, TN 37890

City, State and Zip Code

Alicia Zarate

Signature

GUADALUPE CALDERON BORJA

Name of Witness - Printed

Street Address

KNOXVILLE, TN 37921

City, State and Zip Code

Signature

**CITY OF MORRISTOWN
APPLICATION FOR BEER PERMIT**

Received by Tax Office:

DATE: 12-24-15

I N S T R U C T I O N S

1. Answer all questions completely or check appropriate box. If question is not applicable, write "NA". Write "unknown" only if you do not know the answer. Use blank space at end of form for extra details on any question for which you have insufficient space.
2. Type, print, or write carefully. Illegible or incomplete forms will not receive consideration.
3. Consider your answers carefully. Your signature at the end of this form will certify as to their correctness.

SECTION I - OWNERSHIP INFORMATION

1- Name of Owner

MI TORO MEXICAN RESTAURANT LLC

2- Check One for the Type of Ownership

<input type="checkbox"/> Person	<input type="checkbox"/> Firm	<input checked="" type="checkbox"/> Partnership
<input type="checkbox"/> Corporation	<input type="checkbox"/> Syndicate	<input type="checkbox"/> Association
<input type="checkbox"/> Joint-Stock Company		

3- Name(s), date(s) of birth and social security number(s) of all person(s) who own a 5% or greater interest in the owner (Attach supplemental sheet if needed).

GUADALUPE CALDERON BORJA, [REDACTED] -84, [REDACTED]
ALICIA SARATE DE PEREZ, [REDACTED] 67, [REDACTED]

4- If you are the sole owner of the business listed above, please complete all remaining questions in the application.

N/A

5- If the owner listed in # 4, above is a corporation, firm, joint-stock company, syndicate, partnership or association, please complete Sections III, VI, VII, VIII and X of this application. Additionally, if the owner listed in # 4, above is a partnership, please complete Sections II, III, IV, and V for each partner.

SECTION II - GENERAL DATA

1- Full Name (last, first, middle) <u>CALDERON, GUADALUPE</u>	2- Age <u>31</u> Date of Birth <u>[REDACTED] -84</u>	3- Sex Male <input checked="" type="checkbox"/> Female <input type="checkbox"/>
4- Height <u>5'6"</u>	5- Weight <u>150 lbs.</u>	6- Color of Eyes <u>BLACK</u>
7- Color of Hair <u>BLACK</u>	8- Type Complexion <u>HISPANIC</u>	9- Type Build <u>MEDIUM</u>
10- Social Security No. <u>[REDACTED]</u>	11- Driver's License No. & State of Issue <u>[REDACTED], TN.</u>	

12-	Father's Full Name	13-	Mother's Maiden Name
14-	Previous Employment TACO BOY SPORTS BAR & GRILL LLC		
15-	Marital Status	16-	Spouse's Name
	Married <input type="checkbox"/> Single <input checked="" type="checkbox"/>		
17-	Scars (Type and Location) NONE		
18-	Other Distinguishing Features NONE		
19-	Current Address KNOXVILLE, TN 37921		
20-	Permanent Address KNOXVILLE, TN 37921		
21-	Home Telephone No. 865-	22-	Work Telephone No. 865-288-7889
		23-	Legal Residence U.S.A.
24-	Nickname LUPILLO	25-	Other Names You Have Used N/A
26-	Indicate circumstances (including length of time under which you have ever used these names) N/A		
27-	If legally changed, give particulars (where and by what authority) N/A		

SECTION III - CITIZENSHIP

To be completed by individual owners and each partner in a partnership

- 1- Are you a U.S. citizen or legal alien?
Yes ☒ No ☐
- 2- If you are a legal alien, please provide your certificate number.

To be completed by all other types of owners listed

- 3- Are you domiciled in the State of Tennessee?
Yes ☒ No ☐

SECTION IV - MILITARY SERVICE

1-	In what military organizations have you served? NONE		
2-	Date of separation N/A	3-	Total length of service N/A
4-	Serial or file No. N/A	5-	Rank or grade N/A
		6-	Type of discharge N/A

**CITY OF MORRISTOWN
APPLICATION FOR BEER PERMIT**

Received by Tax Office:

DATE: _____

I N S T R U C T I O N S

1. Answer all questions completely or check appropriate box. If question is not applicable, write "NA". Write "unknown" only if you do not know the answer. Use blank space at end of form for extra details on any question for which you have insufficient space.
2. Type, print, or write carefully. Illegible or incomplete forms will not receive consideration.
3. Consider your answers carefully. Your signature at the end of this form will certify as to their correctness.

SECTION I - OWNERSHIP INFORMATION

1- Name of Owner

2- Check One for the Type of Ownership

<input type="checkbox"/> Person	<input type="checkbox"/> Firm	<input type="checkbox"/> Partnership
<input type="checkbox"/> Corporation	<input type="checkbox"/> Syndicate	<input type="checkbox"/> Association
<input type="checkbox"/> Joint-Stock Company		

3- Name(s), date(s) of birth and social security number(s) of all person(s) who own a 5% or greater interest in the business (Attach supplemental sheet if needed).

4- If you are the sole owner of the business listed above, please complete all remaining questions in the application.

5- If the owner listed in # 4, above is a corporation, firm, joint-stock company, syndicate, partnership or association, please complete Sections III, VI, VII, VIII and X of this application. Additionally, if the owner listed in # 4, above is a partnership, please complete Sections II, III, IV, and V for each partner.

SECTION II - GENERAL DATA

1- Full Name (last, first, middle) <u>ZARATE, ALICIA De Perez</u>	2- Age Date of Birth <u>67</u>	3- Sex Male <input type="checkbox"/> Female <input checked="" type="checkbox"/>
4- Height <u>5'5"</u>	5- Weight <u>150</u>	6- Color of Eyes <u>green</u>
7- Color of Hair <u>brown</u>	8- Type Complexion <u>Spanish</u>	9- Type Build <u>slender</u>
10- Social Security No. [REDACTED]	11- Driver's License No. & State of Issue <u>TN</u>	

12- Zarate Father's Full Name 13- Guerrevo Mother's Maiden Name

14- Previous Employment

15- NO Marital Status Married _____ Divorced ☒ Single _____ 16- Spouse's Name

17- Scars (Type and Location) NA

18- Other Distinguishing Features

19- Current Address

20- [REDACTED] Permanent Address White Pine TN 37890

21- Home Telephone No. 404-[REDACTED] 22- Work Telephone No. 423-839-1880 23- Legal Residence Yes

24- Nickname Alicia 25- Other Names You Have Used

26- Indicate circumstances (including length of time under which you have ever used these names)

27- If legally changed, give particulars (where and by what authority)

SECTION III - CITIZENSHIP

To be completed by individual owners and each partner in a partnership

- 1- Are you a U.S. citizen or legal alien?
Yes ☒ No _____
- 2- If you are a legal alien, please provide your certificate number.
[REDACTED]

To be completed by all other types of owners listed

- 3- Are you domiciliated in the State of Tennessee?
Yes _____ No _____

SECTION IV - MILITARY SERVICE

- 1- In what military organizations have you served?
N/A
- 2- Date of separation 3- Total length of service
- 4- Serial or file No. 5- Rank or grade 6- Type of discharge

SECTION V – RESIDENCES FOR THE PAST 10 YEARS

To be completed by individual owners (Use supplemental sheet if needed)

Address – Most recent first

Inclusive dates

No. Street City State/Zip From To

[REDACTED], KNOXVILLE, TN 37921 2008 PRESENT

SECTION VI – ADDITIONAL INFORMATION

Special Instructions

If your answer is "yes" to any of the following questions, please provide complete details for each question on a separate signed sheet and attach the sheet to this form. A "yes" answer does not mean automatic refusal of a beer permit; however, failure to disclose may result in such a denial.

To be completed by individual owners:

- 1- Have you ever been arrested, indicted or convicted for any violation of the law other than minor traffic violations?
Yes _____ No ☒
- 2- Have you ever been arrested or court-martialed under military law or regulation?
Yes _____ No ☒

To be completed by all other types of owners listed:

- 3- Has any member listed on this application or any supplemental information form been arrested, indicted or convicted for any violation of the law other than minor traffic violations?
Yes _____ No ☒
- 4- Has any member listed on this application or any supplemental information form been arrested or court-martialed under military law or regulation?
Yes _____ No ☒

SECTION VII – PERMIT DATA

- 1- Type of Permit Applied For:
 On Premise ☒ Off Premise _____
- 2- Type of Business: Restaurant ☒ Distributor _____
 Patriotic Organization _____ Club _____
 Drug Store _____ Full Line Grocery Store _____
 Convenience Store _____ Lodge _____

<p>Charters that have been issued by the State of Tennessee must be presented with this completed application in all cases of lodges, patriotic organizations, and clubs. These charters will be examined and returned to applicant at the time this application is presented before the Beer Board</p>	<p style="text-align: center;">DO NOT WRITE IN THIS BLOCK For Use by City of Morristown Only</p> <p> Charter Presented Yes _____ No _____ Charter Returned Yes _____ No _____ </p> <p> Issued by _____ Date _____ In Name of _____ </p> <p> Signature of Tax Clerk _____ </p>
---	--

- 3- Do you possess a valid business license issued by the City of Morristown?
 Yes ☒ No _____
 Date of Issue 12-15-15

- 4- Complete address of business wherein beer is to be sold:
3408 W ANDREW JOHNSON HWY
MORRISTOWN, TN 37814

DO NOT WRITE IN THIS BLOCK For Use by City of Morristown Only	
<p>Requested location is in a Nonconforming _____ Conforming <input checked="" type="checkbox"/> location under the zoning laws and ordinances of the City of Morristown.</p> <p>For Off Premise Permits Only: Is requested location within 150 ft. of property on which any church, school, or city park is located? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>If yes, identify establishment. _____</p> <div style="text-align: right; margin-top: 10px;"> Signature of City Planner <u>[Signature]</u> </div> <p>Have occupancy issues been addressed by City Inspections?: Non-Conforming _____ Conforming _____</p> <div style="text-align: right; margin-top: 10px;"> Signature of City Inspector <u>[Signature]</u> </div> <p>Have fire code inspections been completed?: Non-Conforming _____ Conforming _____</p> <div style="text-align: right; margin-top: 10px;"> Signature of _____ </div>	

Fire Marshall

Paul Nash

5- Complete name of business wherein beer is to be sold:
MI TERO MEXICAN RESTAURANT

6- Do you now possess a beer license? Yes ☐ No ☒ If yes, list name of business, address, and type of license on separate sheet.

7- Identify the Registered Agent (chapter 209 of the Beer Ordinance)

GUADALUPE CALDERON BORJA

8- Identify the individual who is to receive annual tax notices and any other communication from the Tax Office, City Council, or Beer Board and list their address.

**GUADALUPE CALDERON BORJA
3408 W ANDREW JOHNSON HWY
MORRISTOWN, TN 37814-3623**

SECTION VIII – GENERAL INFORMATION AND AGREEMENTS

1- Do you agree not to engage in the sale, storage, manufacture, or distribution of beer other than ☒ at the place for which a permit was issued?
Yes ☐ No ☐

2- Do you agree that sale, storage, manufacture, or distribution of beer will be made only in accordance with the permit granted?
Yes ☒ No ☐

3- Do you agree that no sales will be made to any person under twenty-one years of age?
Yes ☒ No ☐

4- Have you received and read the Beer Ordinance of the City of Morristown, and do you agree not to violate any of its requirements?
Yes ☒ No ☐

5- Have you ever had a license for the sale, storage, manufacture, or distribution of legalized beer revoked?
Yes ☐ No ☒
If the answer is yes, give complete details on separate sheet of paper.

To be completed by individual owners:

6- Have you or any of your employees involved in the distribution, storage, manufacture, or sale of beer ever been convicted of any violation of any law involving prohibition, sale, manufacture, storage, distribution or transportation of any alcoholic beverage or any crime involving moral turpitude within the past 10 years immediately preceding the date of this application?
Yes ☐ No ☒
If the answer is yes, give complete details on separate sheet of paper.

To be completed by all other types of owners listed:

- 7- Has any person listed on this application or any supplemental information form involved in the distribution, storage, manufacture, or sale of beer ever been convicted of any violation of any law involving prohibition, sale, manufacture, storage, distribution or transportation of any alcoholic beverage or any crime involving moral turpitude within the past 10 years immediately preceding the date of this application?
Yes _____ No ☒
If the answer is yes, give complete details on separate sheet of paper.

-
- 8- Do you agree not to employ any person so convicted?
Yes ☒ No _____

-
- 9- Do any brewers, manufacturers, distributors or warehousemen of legalized beer have any interest in the business, financial or otherwise or in the premises upon or in which the business is to be licensed to sell beer at retail?
Yes _____ No ☒
If the answer is yes, give complete details on separate sheet of paper.
-

To be completed by individual owners and partnerships:

- 10- Are you willing to be fingerprinted by the Police Department, City of Morristown?
Yes ☒ No _____
-

To be completed by all other types of owners listed:

- 11- If requested, are you willing for any member listed with a 5% or greater ownership to be fingerprinted by the Morristown Police Department?
Yes ☒ No _____
-
- 12- Is a completed fingerprint card submitted with this application?
Yes ☒ No _____
Applicant may have cards completed at Morristown Police Department.
-

SECTION IX – REFERENCES

Please give the correct name, address, zip code, and telephone number of at least three people who have known you personally for a period of at least three years.

Name	Address	City/State/Zip	Phone
PEDRO J. ROSICH	[REDACTED]	DULUTH, GA	30096
MARY OUEDO	[REDACTED]	LILBURN, GA	30047
Jairo Ouedo	[REDACTED]	Lilburn, GA	30047

SECTION X – SIGNATURES

STATE OF TENNESSEE
COUNTY OF HAMBLEN

The undersigned GUADALUPE CALDERON BORJA, hereby makes oath and swears that all the facts and answers set forth in the above application are true and correct to the best of my knowledge, information, and belief; that misrepresentation of facts and/or withholding of information on this application may result in the denial of a beverage permit now and can forfeit the eligibility to receive any permit for a period of ten (10) years, that I will comply with the laws of the United States, and of the State of Tennessee, and Ordinances of the City of Morristown, that I have received a copy of and read the Beer Ordinance of the City of Morristown, and all amendments thereto. The undersigned further makes oath that if the owner is a corporation, firm, joint-stock company, syndicate, partnership or association, that he or she is authorized to execute this application on behalf of the owner.

In testimony whereof witness my signature on this the 15th day of JANUARY, 2016



Applicant

Sworn to and subscribed by Guadalupe Calderon Borja before me, a notary public in and for said State and County, on this the 15th day of JANUARY, 2016



Notary Public

My commission expires

Dec, 02 2018

Morristown Police Department

ROGER OVERHOLT
Chief of Police




BEER ORDINANCE ASSURANCE

I, the undersigned, acknowledge receipt of a copy of the City of Morristown Beer Ordinance Title 8 Chapter 2.

I understand it is my responsibility to adhere to the guidelines of this ordinance and the applicable laws of the State of Tennessee.

I understand it is my responsibility to ensure that my employees are aware of, and adhere to, all governing ordinances and laws concerning the sale of beer in my establishment.

Business Name & Address: MI TORO MEXICAN RESTAURANT
3408 W.A.J. Hwy.
MORRISTOWN, TN. 37814


Signature

Alicia Zarate

Guadalupe Calderon
Print Name

Alicia Zarate

2-5-16
Date

*** * * NOTICE * * ***

**YOUR PRESENCE IS REQUIRED AT THE
BEER BOARD MEETING AT WHICH
YOUR BEER PERMIT APPLICATION IS
BEING CONSIDERED**

02/02/2016 12:18 PM FAX

4235871658

HAMBLEN CO SO

P.0001

*** Receive Results ***

Receive job successful.

Job No.	5897
Address	4235854685
Name	
Start Time	02/02 12:17 PM
Call Length	00'47
Sheets	2
Result	OK

=====
Received: 2016-02-09 08:17:24 ORI: TN03201B0 MKE: IAR OPT: OOBUN8AQTN
IAR.VTICE1888
02:43 02/09/16 00802
02:43 02/09/16 04425 TN03201B0
*00BUN8AQTN
TXT
*** LAW ENFORCEMENT SENSITIVE ***

IAQ RECEIVED: 02/08/16 04:56:27 PM
ORI/ TN03201B0 ATN/LT BILLY GULLEY PHN/423-585-2710
NAM/ ZARATE, ALICIA
DOB/ 1967 CUS/N OFF/2699 PUR/C POB/MX SEX/F
FBI/
ARN/043463065
REM/ AKA ALICIA DEPEREZ ZARATE SUBJECT BEING INVESTIGATED FOR
PROVIDING ALLEGED QUESTIONABLE DOCUMENTS TO OUR AGENCY ANY
INFORMATION YOU CAN PROVIDE IS APPRECIATED MORRISTOWN TN
PD OPR LANGDON

**** QUERY MESSAGE TEXT ENDS - L.E.S.C. RESPONSE BEGINS ****
THIS IS NOT A GOVERNMENT DETAINER! THIS INFORMATION IS FOR
LAW ENFORCEMENT USE AND IS BEING PROVIDED FOR INFORMATIONAL
PURPOSES ONLY. THIS RESPONSE IS NOT SUPPORTED BY FINGERPRINTS.

**** BASED ON THE INFORMATION PROVIDED ****
THE FOLLOWING I.C.E. RECORD APPEARS TO RELATE:

NAM/ ZARATE DE PEREZ, ALICIA
AKA/ ZARATEGUERRERO, ALICIA
DOB/ 1967
POB/ MEXIC --> MEXICO
ARN/
FCO/ NRC
DOE/
SOC/
LKA/ 845 FRANKLIN RD APT A, LEBANON, OH 45036

FFN/ JOE
MFN/ JOSEFINA

REM/ FIN: 1050189212

I.C.E. RECORDS INDICATE THAT THIS SUBJECT IS LEGALLY RESIDING
IN THE UNITED STATES AS A PERMANENT RESIDENT AND MAY LIVE
AND WORK IN THE U.S. IF THIS PERSON HAS BEEN CONVICTED FOR
A FELONY OFFENSE, THIS PERSON MAY BE AMENABLE TO REMOVAL
PROCEEDINGS FOR VIOLATIONS OF THE IMMIGRATION ACT.

FOR FURTHER INFORMATION CONTACT ICE NASHVILLE,
TN;
- ALIENS IN CUSTODY - ENFORCEMENT AND REMOVAL
OPERATIONS AT (615) 664-5550
- ALIENS NOT IN CUSTODY (ROADSIDE) HOMELAND
SECURITY INVESTIGATIONS AT (615) 781-5473
- OR THE LAW ENFORCEMENT SUPPORT CENTER AT
(802) 872 - 6020
REQUESTING ORI INFORMATION:
AGENCY/
PHONE/

L.E.S.C. QUERY ID: 18680770 *** LIMITED OFFICIAL USE ***
END OF RESPONSE . . .



City of Morristown
Office of the Police Department
Support Services

FAX TRANSMITTAL
COVER SHEET



FAX # (423) 587-9518

TO: Hamblen County Sheriff's Department
Attn: Records

FR: Lt. Billy Gulley, Support Services Supervisor

RE: Background Check for Beer Permit Application

DATE: February 2, 2016

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET: 2

COMMENTS:

Background check request is for the LAST 10 YEARS

THANK YOU

NOTICE

THIS MATERIAL IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL INFORMATION THAT IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE NOTE THAT YOU ARE STRICTLY PROHIBITED FROM DISSEMINATING OR DISTRIBUTING THIS MATERIAL (other than to the intended recipient) OR COPYING THIS MATERIAL. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THIS MATERIAL (and all copies) TO US BY MAIL TO THE *Morristown Police Department, P. O. Box 1283, Morristown, TN 37816-1283.*

IF THERE WAS A PROBLEM RECEIVING THIS FAX, PLEASE CONTACT THIS OFFICE AT (423) 318-1552.

THANK YOU.

(700.03 REV) MPD 2010

Esco R. Jarnagin
Sheriff

Wayne Mize
Chief Deputy



Sheriff of Hamblen County

510 Allison Street
Morristown, Tennessee 37814

HAMBLEN CO. ARREST RECORD SEARCH

DATE: 2/2/16

AN ARREST RECORD SEARCH WAS PROVIDED FOR THE FOLLOWING
INDIVIDUAL:

NAME: Gaudalpe Calderon Borja

DATE OF BIRTH: [REDACTED] 84

INDIVIDUAL HAS NO RECORD AT THE HAMBLEN CO. SHERIFF'S DEPT. ✓

Has Arrest with Morristown Police Department, Please Contact MPD-423-585-2710

INDIVIDUAL HAS THE FOLLOWING RECORD AT THE HAMBLEN CO. SHERIFF'S DEPT:

NO RECORD

FEB 02 2016

HCSO

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT THE HAMBLEN CO.
SHERIFF'S DEPT. RECORDS OFFICE AT (423) 585-2769. THIS
RECORD CHECK IS A COUNTY RECORD CHECK ONLY.

Kim Sipe

PHONE: (423) 586-3781 - Administrative
(423) 585-2720 - Jail
FAX: (423) 587-1658 - Administrative
(423) 587-1329 - Jail

[Return to Agenda](#)

Esco R. Jarnagin
Sheriff



Wayne Mize
Chief Deputy

Sheriff of Hamblen County

510 Allison Street
Morristown, Tennessee 37814

HAMBLEN CO. ARREST RECORD SEARCH

DATE: 2/2/16

AN ARREST RECORD SEARCH WAS PROVIDED FOR THE FOLLOWING
INDIVIDUAL:

NAME: Alicia Zerata DE Perez

DATE OF BIRTH: [REDACTED] 1967

INDIVIDUAL HAS NO RECORD AT THE HAMBLEN CO. SHERIFF'S DEPT. ✓

Has Arrest with Morristown Police Department, Please Contact MPD-423-585-2710

INDIVIDUAL HAS THE FOLLOWING RECORD AT THE HAMBLEN CO. SHERIFF'S DEPT:

NO RECORD

FEB 02 2013

HCSD

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT THE HAMBLEN CO.
SHERIFF'S DEPT. RECORDS OFFICE AT (423) 585-2769. THIS
RECORD CHECK IS A COUNTY RECORD CHECK ONLY.

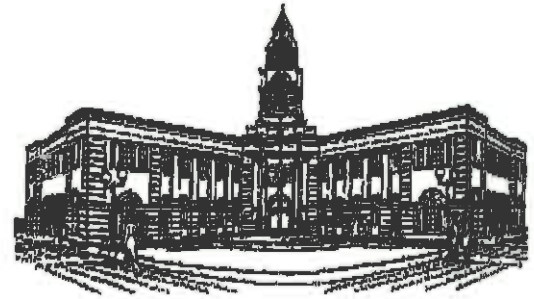
Kim Sipe

PHONE: (423) 586-3781 - Administrative
(423) 585-2720 - Jail
FAX: (423) 587-1658 - Administrative
(423) 587-1329 - Jail

[Return to Agenda](#)

Morristown Police Department

ROGER OVERHOLT
Chief of Police



Knox County Sheriff's Dept.
Records Division

February 2, 2016

I am requesting a records check for the purpose of a Beer Permit on the following individuals:

Guadalupe Calderon Borja

D.O.B. [REDACTED] 1984

SSN: [REDACTED]

See attached
Alicia Zarate De Perez

D.O.B. [REDACTED] 1967

SSN: [REDACTED]

No local history

If you have any questions, please give me a call at 423-318-1552 or fax me the results at 423-587-9518.

Thanks in advance for your assistance,

Lt. Billy Gulley, Support Services Supervisor
Morristown Police Department
P.O. Box 1283
Morristown, TN 37816-1283
Office: 423-318-1552
Fax: 423-587-9518

02/02/2016 12:25 PM

CRIMINAL HISTORY RECORD
(Public Version)

Page 1 of 1

PERSON#: 1294527

NAME: CALDERON, GUADALUPE BORJA

EYE COLOR: BROWN

HAIR COLOR: BLACK

RACE: HISPANIC

WEIGHT: 150

HEIGHT: 506

DOB:

1984

CHARGE

CONSOLIDATED

DOCKET

INTO

COMMITTED

DISPOSITION DATE

DESCRIPTION

ALCOHOL VIOLATION (SALE TO MINOR) (MISDEMEANOR)

110562#

06/02/2015

09/29/2015

DISMISSED

JUDGE/SENTENCE: CHARLES ANTHONY CERNY

/The Defendant is sentenced to 90 Days, Pass No Trouble, Conditions Imposed: , ASK CLASS, NO TROUBLE

Docket (Consolidated Warrants[Arrest Date])

Disposition Date / Disposition

[Return to Agenda](#)

Zarate de Perez Alicia

Alicia Zarate

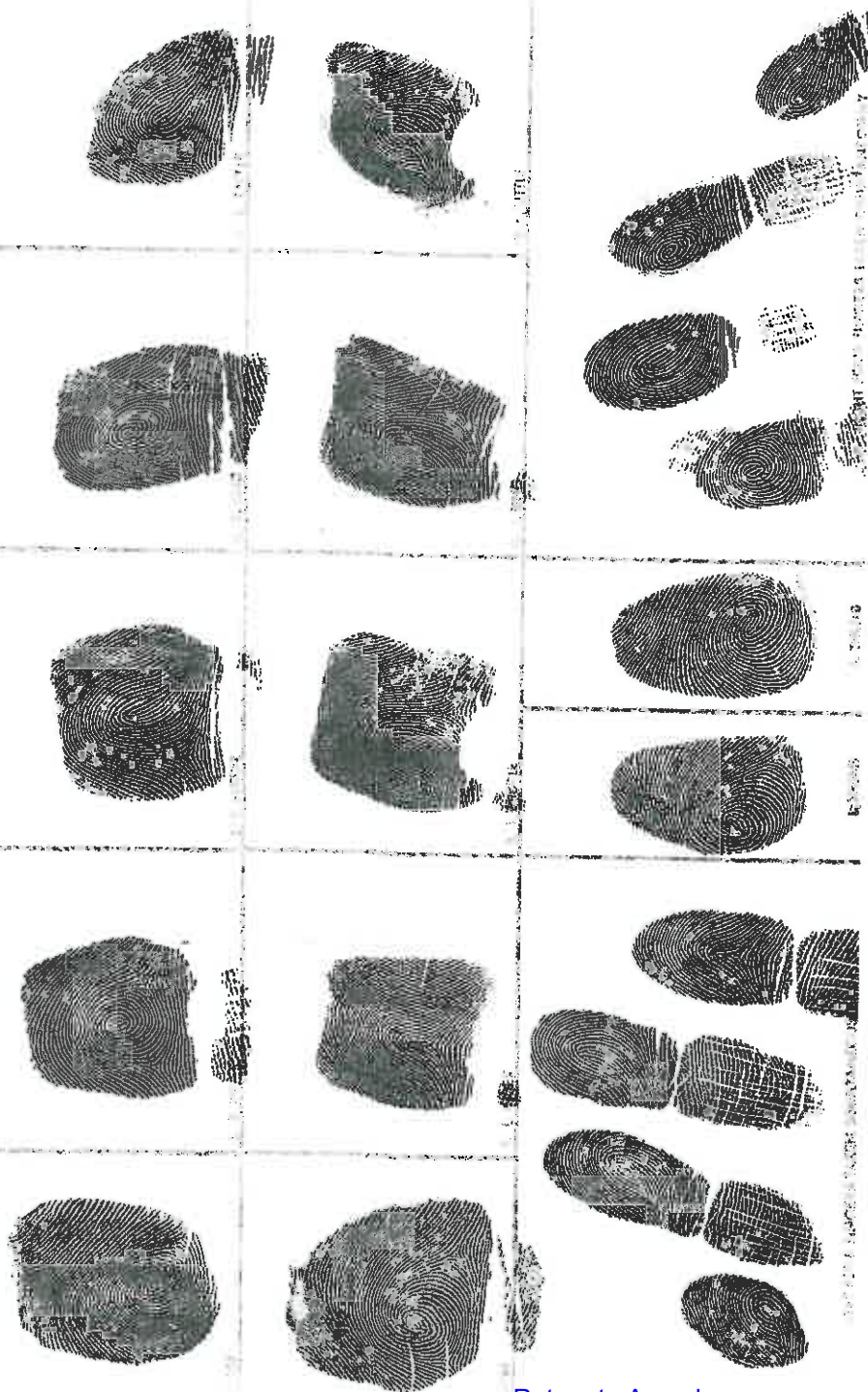
White Pine TN 37890

3-16 White B

U.S.

1967

F W 5'7" 150 BR BR Jalisco Mexico



Page : 1 of 1 02/03/2016 10:21:34
Order Number : 22091239
PO Number :
Customer : 21876374 City Of Morristown
Contact :
Address1 : Attn Casey Cummings
Address2 : PO Box 1499
City St Zip : Morristown TN 378161499
Phone : (423) 581-0100
Fax : (423) 585-4679
Printed By : ctadtaker4
Entered By : ctadtaker2
Keywords : Beer Board Meeting
Notes :
Zones :

Ad Number : 22152164
Ad Key :
Salesperson : 04 - Misa Saylor
Publication : Citizen Tribune
Section : Classified Section
Sub Section : Classified Section
Category : Public Notices-130
Dates Run : 02/05/2016-02/05/2016
Days : 1
Size : 1 x 4.99, 52 lines
Words : 81
Ad Rate : Open
Ad Price : 41.60
Amount Paid : 0.00
Amount Due : 41.60

PUBLIC NOTICE

The Beer Board of the City of Morristown, Tennessee, will meet on Tuesday, February 16, 2016 at 5:00 p.m. at the City Center, Council Chambers, 100 West First North Street, to consider the following Beer Permit Application(s):

On-Premise Beer Permit for Mi Toro Mexican Restaurant, LLC, (Owners Guadalupe Calderon Borja and Alicia Zarate Perez and Registered Agent Guadalupe Calderon Borjua), DBA Mi Toro Mexican Restaurant, 3408 West Andrew Johnson Highway.

**BEER BOARD
CITY OF
MORRISTOWN,
TENNESSEE**

**Publish:
02/04/2016**

Office Copy Only

POST AT LOCATION OF BUSINESS	City of Morristown Minimum Business License and Gross Receipt Tax THIS LICENSE EXPIRES 05/15/2017	License Number 9613
Business Name MI TORO MEXICAN RESTAURANT LLC 3408 W ANDREW JOHNSON HWY MORRISTOWN, TN 37814 ID: 9613 Location: 3408 W ANDREW JOHNSON HWY		
<div data-bbox="917 443 954 903"> MINIMUM BUSINESS TAX </div> <div data-bbox="722 252 912 1081"> <p>This is your official notice that if gross receipts tax is not paid within 60 days from above expiration date, a distress warrant may be issued to satisfy the tax dept. Further notification of expiration is not required by law. Please make note of these dates. If paid by check, this license valid only after check is paid. This license does not permit operation unless properly zoned, and/or in compliance with all other applicable laws/rules.</p> </div> <div data-bbox="641 252 673 464"> Classification: 2 </div> <div data-bbox="557 252 589 554"> Date issued 12/15/2015 </div> <div data-bbox="501 252 532 1081"> By _____ </div> <div data-bbox="444 583 474 753"> Taxing Authority </div> <div data-bbox="722 1186 933 1648"> </div> <div data-bbox="573 1226 662 1602"> City of Morristown P.O. Box 1654 Morristown, Tennessee 37816-1654 </div> <div data-bbox="436 1129 500 1638"> PAID </div> <div data-bbox="440 1129 462 1438"> Total Tax </div>		



TENNESSEE DEPARTMENT OF REVENUE

CERTIFICATE OF REGISTRATION

MI TORO MEXICAN RESTAURANT LLC
3408 W ANDREW JOHNSON HWY
MORRISTOWN TN 37814-3623

November 20, 2015

Account Type: SALES&USE
Account No.: 106907671
Filing Status: MONTHLY

We have received and processed your application for registration. Your valid certificate is attached below. This certificate must be publicly displayed at the location for which it is issued. The account number on this certificate is used by the department to identify your account and must be shown on all reports and correspondence. The reverse side of this certificate contains important information regarding change and/or cancellation instructions. This certificate is not assignable and is valid only for the person (entity) to whom it is issued.

T.C.A. 67-6-607 Unauthorized Use of Certificate

It is a class C misdemeanor for any person having a certificate of registration to:

- (1) Use such certificate for the purpose of purchasing tangible personal property subject to the tax herein levied except for resale, unless authorized to do so by other provisions of this chapter and the rules and regulations adopted pursuant thereto; or
- (2) Use or consume any tangible personal property purchased or otherwise acquired under the certificate of registration and subject to the privilege taxes herein levied without paying the privilege taxes.

Reporting

All sales and use tax returns must be filed and associated tax payments must be paid electronically. You are required to file your monthly, quarterly, or annual return, according to your filing frequency, even if no tax is due. If your business opens after the 20th of the month, do not file a separate return covering only the days remaining in the month. Rather, include those days on the return covering your first full filing period.

Penalty & Interest

In order to avoid the penalty and interest, all returns must be filed and all associated tax payments must be made on or before the due date for the reporting period.

DETACH HERE AND DISPLAY IN PUBLIC AREA

TENNESSEE DEPARTMENT OF REVENUE
CERTIFICATE OF REGISTRATION
SALES&USE

Penny Petty, HAMBLÉN COUNTY CLERK

**LICENSE
0355372**

STANDARD BUSINESS TAX LICENSE

Total Due: 16.32
Cash: Check: Check No.: Credit Card: 16.32 Auth# 044800 Change:
TAMMY W003 Drawer: 28 Slip: 1
Work Date: 12/16/2015

DETECT THIS CONTROL FOR CONFIDENTIAL FILE

**Penny Petty
HAMBLÉN COUNTY CLERK**

611 W. 2ND NORTH ST
MORRISTOWN, TN 37814

**LICENSE
0355372**

STANDARD BUSINESS TAX LICENSE

Mailing

Location

73922 MI TORO MEXICAN RESTAURANT LLC

3408 W ANDREW JOHNSON HWY
MORRISTOWN, TN 37814

MI TORO MEXICAN RESTAURANT LLC

3408 W ANDREW JOHNSON HWY
MORRISTOWN, TN 37814

GUADALUPE CALDERON BORJA

LOCAL ACCOUNT NUMBER **73922**

STATE ACCOUNT NUMBER

TRANSACTION NUMBER

ISSUE DATE

TAX PERIOD

PAYMENT DUE BY

EXPIRATION DATE

12/16/16

start - 12/07/2016

4/16/2017

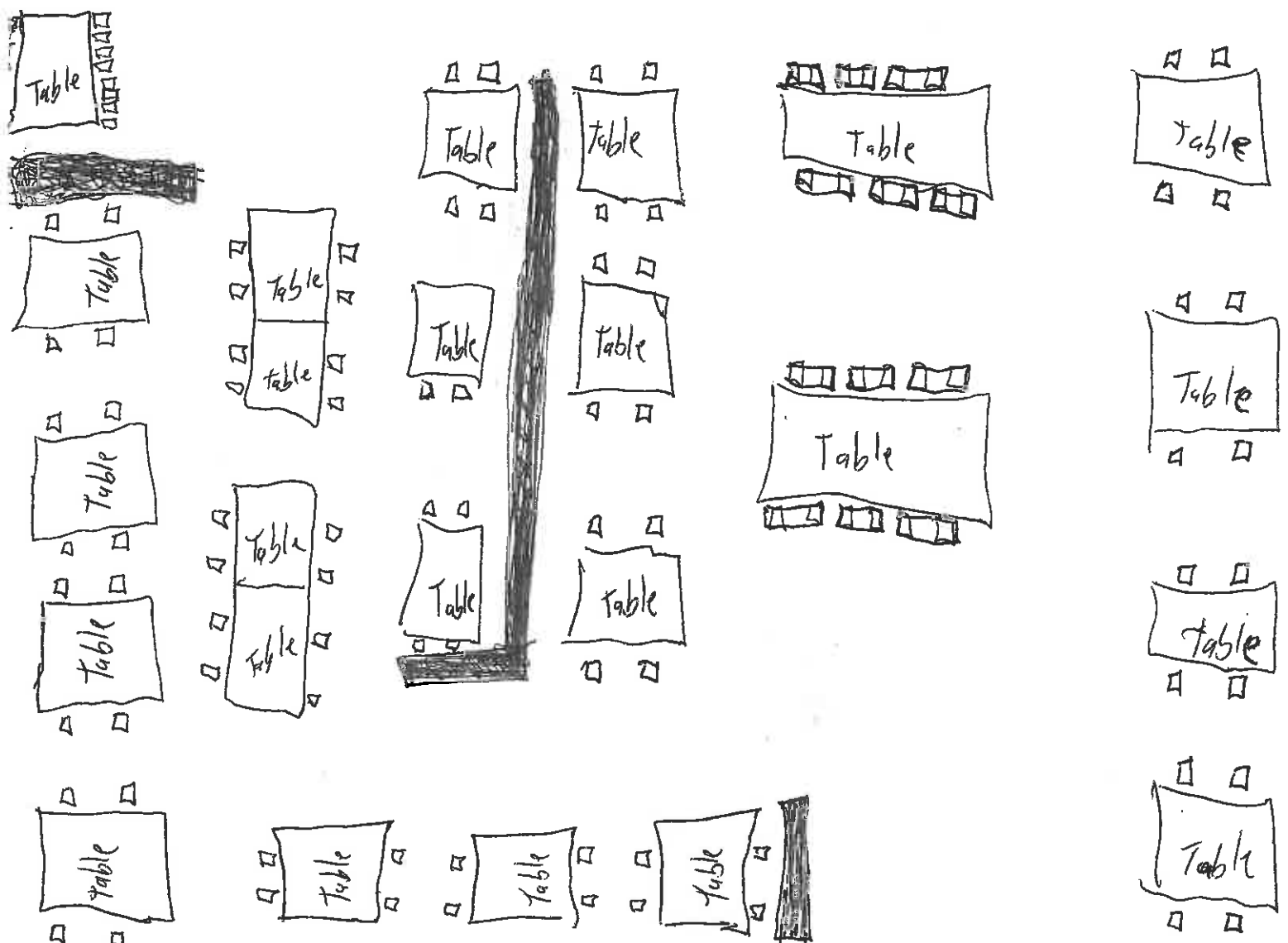
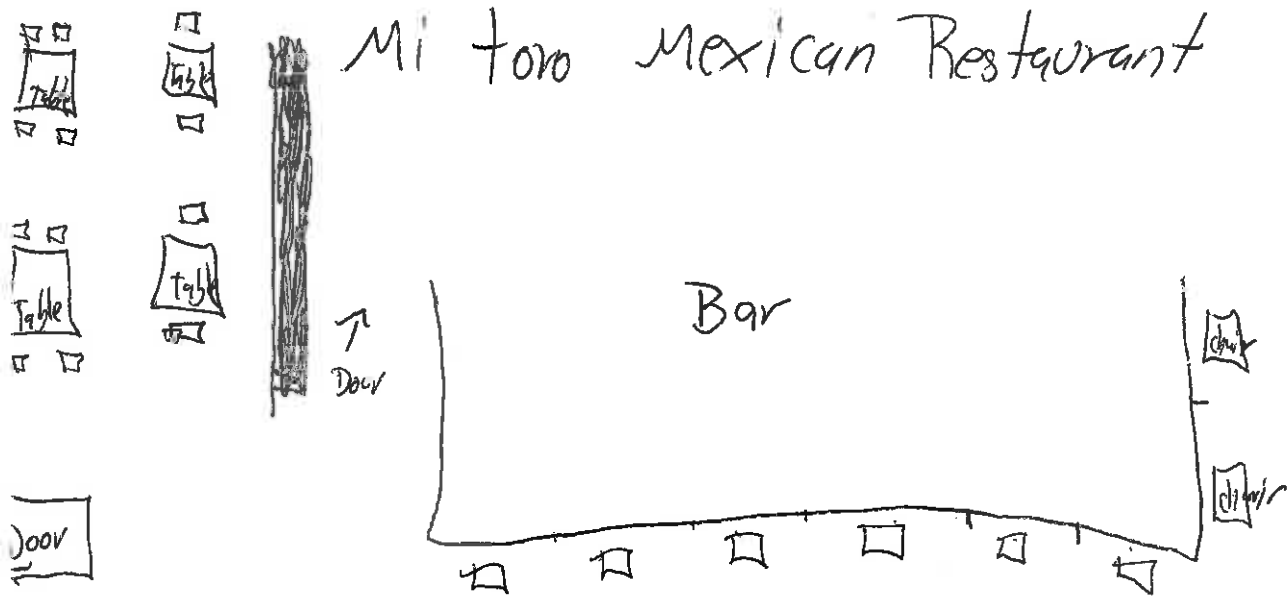
5/16/2017

Mi toro Mexican Restaurant

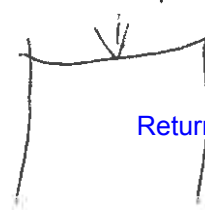
(126)

BG

1-29-16



Door



GENERAL AFFIDAVIT

STATE OF TENNESSEE

COUNTY OF HAMBLEN

PERSONALLY came and appeared before me, the undersigned Notary, the within name Guadalupe Calderon Borja, who is a resident of Knox County, State of Tennessee, and makes this his/her statement and General Affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts and things set forth are true and correct to the best of his/her knowledge:

I hereby certify that in reference to the Lease Agreement signed 09/06/2015 I am the lessor named in the Lease Agreement. My name is stated as Guadalupe Calderon in the lease agreement. Which I attest that to be me, Guadalupe Calderon Borja in fact. Furthermore, Alicia Zarate is named, and that is my partner, Alicia Zarate de Perez in fact. We signed that lease on 09/06/2015 for our restaurant. Mi Toro Mexican Restaurant LLC located at 3408 W. Andrew Johnson Hwy, Morristown, TN.

DATE this the 21st day of January, 20 16


Signature of Affiant

SWORN to the subscribed before me, this 21st day January, 20 16


NOTARY PUBLIC

My Commission Expires:

March 05, 2017

(Seal)



Lease Agreement

Agreement made by and between Winfield Yip, whose address is 395 Beechwood Cr., Morristown, TN 37814, (hereinafter referred to as "LESSOR") and Guadalupe Calderon, whose address is 6249 Rexburg drive, Knoxville, TN 37921, and Alicia Zarate, 158 Bridle Way Lot 12, White Pine, Tn 37890, (hereinafter referred to as "LESSEE").

1. The Lessor hereby leases to the Lessee the real estate and buildings located at 3408 West Andrew Johnson Highway, Morristown, Tennessee described in Exhibit "A" attached hereto and by reference made a part hereof (the "Leased Premises" or "Premises"). Lessee has inspected said property and agrees to accept and lease it in its "AS IS" condition.
2.
 - (a) The initial term of this Lease shall be for two (2) years commencing on Nov 1, 2015, and ending at midnight Sept 30, 2017. Lessee shall pay to Lessor without notice or demand, rental, in advance, on the first day of each and every calendar month during the term of the lease. Lessee shall have an option to renew the lease for up to an additional five (5) year term. During the first option, the monthly rent shall be \$2,800.00 per month, except that after each five (5) year period of Lessee's lease, the rent shall increase by five percent (5%) in accordance with the following schedule:

Year of Term	Monthly Rent
09/01/2015 - 08/30/2017	\$2,800.00
09/01/2017 - 08/30/2019	\$2,940.00

- (b) Lessee's obligation to pay rent shall not commence for a period of three (3) months following the execution of this Agreement so the Lessee can remodel the premises. All other obligations and duties are immediately effective upon the start of the contract. If during the period of remodeling the business commences operation then a prorate for the fractional portion of any month, except on the first day of the calendar month shall be pay the Lessor rent at the said rate for any portion of the preceding calendar month included in the term of this Lease.
 - (c) During this three (3) month grace period of remodeling the Lessor shall remove the five (5) grilles and hood guards from the front of the house. And leave up to two (2) grilles for the lessee to utilize during the term of the contract. And at the end of the contract period the lessee shall surrender the

Initial	Date
G.C.	09-06-15
A.Z.	09-06-15
W.Y.	09/06/15

two (2) grilles to the Lessor in as good condition as they were at the beginning of the term of this lease, ordinary wear and tear excepted.

(d) Also during the remodeling period the Lessor shall paint the outside walls of the primary building.

3. If any rental payment is not paid by the due date, the Lessor may charge a late fee of \$5.00 per day for each day that said payment is late. A security deposit of \$5,600.00 shall be paid on execution and signing of this Lease. The deposit shall be refunded to Lessee at the end of the lease term if premises are returned in an acceptable condition, normal wear and tear excepted. The rent is to be delivered to Lessor, by the due date, at 395 Beechwood Circle, Morristown, Tennessee, 37614.
4. The Lessee shall be responsible for all repairs or maintenance required to be made to the premises of every kind and character during the term of this lease. The Lessee agrees that it will use the premises in a careful, lawful and proper manner and commit no waste thereon.
5. Lessee shall initiate, contract for and obtain in their name all utility services required on the premises, including gas, electricity, telephone, water and sewer connections and services, and waste disposal, and shall pay all charges for those services promptly as they become due.
6. The Lessor shall not be liable for any personal injury to the Lessee or any other occupant of any part of the Leased Premises or for any damage to any property of the Lessee or any other occupant of the Leased Premises, irrespective of how such injury or damage may be caused, whether from action of the elements, condition of the property or otherwise, and Lessee hereby assumes responsibility for said injuries and damages and shall indemnify and hold Lessor harmless therefrom.
7. The Lessee shall indemnify the Lessor against all liabilities, expenses and losses, including attorney's fees and other legal costs incurred by the Lessor as a result of: (a) failure by the Lessee to perform any covenant required to be performed by Lessee under this Agreement; (b) any accident, injury or damage which shall happen in or about the leased property; (c) failure to comply with any requirements of any government authority; and (d) any mechanic's lien or security agreement filed against the leased property.
8. The Lessee shall not improve or alter the leased premises in any manner without prior written consent of the Lessor. All improvements or alteration erected or made on the premises shall be on expiration of this Lease belong to Lessor without compensation to Lessee provided, however, that Lessor shall have the option to be exercised on expiration of this Lease to require Lessee to remove all or any such improvements or alterations. If Lessee makes any alteration or improvements to leased premises, Lessee shall not be allowed to do anything which would cause a mechanic's, materialman's or any other type lien to be placed against the property.

Initial	Date
G.C.	09-06-15
A.C.	09-06-15
eng NY	09/06/15

9. If Lessee fails to pay the rental when due or to perform any other covenants, promises or agreements hereunder, or if Lessee files or has filed against it a petition in bankruptcy, or if the premises shall be abandoned by the Lessee, then in any such events Lessor may at its option immediately terminate this Lease by written notice to Lessee whereupon this Lease shall end. Lessor, at its option, without termination of this Lease upon such default by Lessee may immediately terminate Lessee's right to possession and enter upon and rent the premises at the best price obtainable by reasonable effort. Lessee shall surrender possession of the premises to Lessor and remove all of Lessee's property therefrom, and Lessor may immediately reenter the premises and remove Lessee and its property using such force as may be necessary. Lessee shall be liable to Lessor for the deficiency, if any, between the amounts of rental set forth in this Lease and the amount of rent collected by the Lessor in reletting the premises. Pursuit of any of the foregoing remedies shall not preclude pursuit of any of the other remedies herein provided or any other remedies provided by law. Lessee specifically waives any notice that may be required prior to the institution of legal proceedings to remove Lessee from the leased premises.
10. If Lessor decides to sell the leased property during the term of this lease, Lessor grant the Lessee the option to purchase leased property and improvements thereon upon the following terms and conditions:
- (a) The election of the Lessee to exercise this option must be evidenced by a notice in writing addressed to the Lessor sent by registered or certified mail.
 - (b) Lessee must agree to the identical terms and purchase price offered by or to the Lessor from any Third Party.
 - (c) The right to exercise this option is conditioned upon: the faithful performance by the Lessee of all covenants, conditions and agreements required to be performed by the Lessee under this agreement.
11. Lessee may not, without prior written consent of Lessor, assign this Lease or any interest hereunder or sublet the premises or any part thereof, or permit the use of the premises by any party other than Lessee. Lessor shall not unreasonably withhold such consent.
12. The Lessor and its representatives may enter the premises at any reasonable time for the purpose of inspecting the premises, exhibiting the premises for sale or lease or posting any signs in connection with any prospective sale or lease.
- 13.
- (a) Lessee shall, at all times during the term of this Lease carry public liability insurance with minimum limits of liability in an amount not less than \$1,000,000 for bodily injury or death to any one person and an amount not less than \$150,000 for damage to property. Such insurance policies shall name

Initial	Date
G.C.	09-06-15
A.Z.	09-06-15
J.T.	09/06/15

3408 West Andrew
Johnson Highway

Lessee and Lessor as the insured parties thereunder. Lessee shall deliver to Lessor certificates of insurance certifying that such insurance is in effect.

(b) In the event the Lessee is specifically authorized to sell, permit or provide liquor or other alcoholic beverages, the Lessee agrees to obtain and maintain an alcohol liability insurance policy ("Liquor Liability") with a limit of not less than \$1,000,000, which names Lessor and Lessor's representative as additional insureds and which policy is subject to the review and approval of Lessor and Lessor's lenders or mortgagees.

14. At the expiration of the term of this Lease, the Lessee shall surrender the premises to Lessor in as good condition as they were at the beginning of the term of this lease, ordinary wear and tear excepted.
15. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns.
16. This Agreement contains the entire agreement of the parties and it may not be changed except by a written document signed by the parties hereto. The failure of either party to insist in any instance of strict performance of any covenant or condition hereof or the exercise any option herein contained shall not be construed as a waiver of such covenant, condition or option in any other instance.

Page 4 of 5

Initial	Date
GAC	09-06-15
AZ	09-06-15
WJ	09/06/15

3408 West Andrew
Johnson Highway

EXHIBIT "A" LEGAL DESCRIPTION

The following described real property, together with all improvements thereon:

The primary restaurant building and the two (2) storage building on the back of the property.

Which has a street address as follows:

3408 East Andrew Johnson Hwy
Morristown, TN 37814
USA

Initials:

LESSOR UY

LESSEE GC

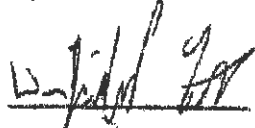
Page 5 of 8

Initial	Date
G.C.	09-06-15
A.Z.	09-06-15
UY	09/06/15


3408 West Andrew
Johnson Highway

IN WITNESS WHERE OF, the parties hereto executed this Lease on September 6, 2015 or have caused this Lease to be executed by their respective officers thereunto duly authorized.

Signed, sealed and delivered in the presence of:



Winfield Yip (423) 231-5706



Guadalupe Calderon (855) 306-7113



Alicia Zarate (404) 514-5859

3408 West Andrew
Johnson Highway



Winfield Yip
WINFIELD YIP, Lessor

STATE OF TENNESSEE

COUNTY OF HAMBLEN

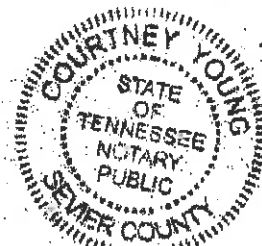
Before me, a Notary Public in and for the State and County aforesaid, personally appeared WINFIELD YIP, with whom I am personally acquainted, executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and official seal at office in said County, this the 10 day of Sept 2015.

Courtney Young
NOTARY PUBLIC

My commission expires:

9-8-18



Guadalupe Calderon
GUADALUPE CALDERON, Lessee

STATE OF TENNESSEE

COUNTY OF HAMBLEN

Before me, a Notary Public in and for the State and County aforesaid, personally appeared GUADALUPE CALDERON, with whom I am personally acquainted, executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and official seal at office in said County, this the 10 day of Sept 2015.

Courtney Young
NOTARY PUBLIC

My commission expires:

9-8-18



3408 West Andrew
Johnson highway

Alicia Zarate

ALICIA ZARATE, Lessee

STATE OF TENNESSEE

COUNTY OF HAMBLEN

Before me, a Notary Public in and for the State and County aforesaid, personally appeared **ALICIA ZARATE**, with whom I am personally acquainted, executed the foregoing instrument for the purpose therein contained.

2013 WITNESS my hand and official seal at office in said County, this the 10 day of SEP

Courtney Young
NOTARY PUBLIC

My commission expires:

9-8-18

CITY OF MORRISTOWN
100 W 1ST NORTH ST
MORRISTOWN TN 37814-1499

RECPT#: 483784

01/21/16 15:42 tdmoss

CUSTOMER#:57192

NAME: MI TORO MEXICAN RESTAURANT LLC
BEER APPLICATION FEE

CHG: 808

BEER BOND

250.00

PAID AMT

25 PAID BY NAME

MI TORO MEXICPAY METHOD

CHECK

570

AMT TENDERED:

AMT APPLIED: 250.00

CHANGE: 250.00